

# **EXHIBIT 5**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

— — —

**IN RE: AUTOMOTIVE WIRE HARNESS  
SYSTEMS ANTITRUST**

**MDL NO. 12-2311**

**STATUS CONFERENCE &  
MOTIONS FOR PRELIMINARY APPROVAL**

BEFORE THE HONORABLE MARIANNE O. BATTANI  
United States District Judge  
Theodore Levin United States Courthouse  
231 West Lafayette Boulevard  
Detroit, Michigan  
Wednesday, October 8, 2014

**APPEARANCES:**

**Direct Purchaser Plaintiffs:**

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1 panels, fuel senders were all produced approximately a year  
2 or so ago, that have had all of that. If there is some  
3 connection they should have seen it. So they have had lots  
4 of discovery. I think what they are referring to is they  
5 have served document requests for other discovery and there  
6 have been meet and confers about that. I think most issues  
7 have been resolved. We don't -- for Denso we have no  
8 outstanding issues, we are just exchanging ideas on search  
9 terms which we are combining and we are going to be ready to  
10 go, and we are already in the process of producing hard copy  
11 documents, so that's going ahead already.

12 The one thing we haven't had is any depositions.  
13 We have been wanting to take depositions. I think we were  
14 here back in February and we needed to close the gap on a  
15 couple issues for the deposition protocol. Since then they  
16 have refused to talk to us about a wire harness deposition  
17 protocol. They have insisted that any discussions be based  
18 on an all-product all-case basis. We have said that's not  
19 what the supplemental discovery plan requires, and we want to  
20 just close the gap on these last couple issues for our  
21 deposition protocol and take some depositions, but we haven't  
22 been able to do that.

23 THE COURT: What about these third-party  
24 depositions where people are asked to come in multiple times?

25 MR. CHERRY: Yeah, Your Honor, we agree that there

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CERTIFICATION

I, Robert L. Smith, Official Court Reporter of the United States District Court, Eastern District of Michigan, appointed pursuant to the provisions of Title 28, United States Code, Section 753, do hereby certify that the foregoing pages comprise a full, true and correct transcript taken in the matter of Automobile Parts Antitrust Litigation, Case No. 12-02311, on Wednesday, October 8, 2014.

s/Robert L. Smith  
Robert L. Smith, RPR, CSR 5098  
Federal Official Court Reporter  
United States District Court  
Eastern District of Michigan

Date: 10/22/2014  
Detroit, Michigan